

**ALBERT S. MICHALIK, PLLC**

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Telephone: (425) 836-3030  
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Date: December 29, 2005  
Time: 10:30 am

Number of pages (including this sheet): 24

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To: United States Patent and Trademark Office Attention: Examiner SWEARINGEN, J.  
Facsimile Number: 571-273-8300  
From: Albert S. Michalik

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**RE: Serial No. 10/010,881, Attorney Docket No. 2760**

In re Application of:

BARHAM et al.

Group Art Unit: 2145

Serial No. 10/010,881

Examiner: SWEARINGEN, J.

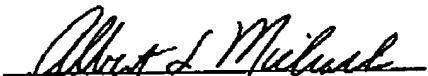
Filed: November 8, 2001

For: Controlling Transmit Rates by Network  
Congestion Pricing

**CERTIFICATE OF TRANSMISSION**

I hereby certify that this Amendment and Amendment Transmittal are being transmitted by facsimile to the United States Patent and Trademark Office in accordance with 37 C.F.R. 1.6(d) on the date shown below:

Date: December 29, 2005

  
Albert S. Michalik

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PATENT  
Attorney Docket No. 2760

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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## AMENDMENT TRANSMITTAL

## TO THE COMMISSIONER FOR PATENTS:

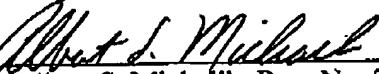
Transmitted herewith are the following papers in the above-identified application:

1. Amendment w/ Certificate of Transmission (22 pgs)

No additional claims are believed to be necessary.

If any fee is required in connection with this response, please charge Deposit Account No. 50-1618.

Respectfully submitted,



Albert S. Michalik, Reg. No. 37,395  
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DEC 29 2005

**PATENT**

Attorney Docket No. 2760

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In re Application of:**

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**For: Controlling Transmit Rates by  
Network Congestion Pricing**

**AMENDMENT**

**Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**

**Dear Sir:**

**This communication is a response to an Office action dated October 4, 2005  
(hereinafter "the Office action"). Please consider the following amendments and  
appended remarks, which applicants submit places the case in condition for allowance.**